

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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MIGUEL ANGEL ROBLES, JR.,

Plaintiff,

-vs-

Case No. 12-CV-843

CITY OF WAUKESHA, OFFICER LUKAS HALLMARK,  
OFFICER BRADY T. ESSER, OFFICER TODD HIGGINS,  
and CITY OF BROOKFIELD,

Defendants.

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**ORDER**

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A review of this file discloses that defendants City of Waukesha, Officer Lukas Hallmark, and Officer Brady T. Esser filed a motion for summary judgment on July 18, 2013. Court records indicate that copies of the motion and supporting brief were mailed to the plaintiff on July 18, 2013. Under the applicable procedural rules, the plaintiff's response to that motion should have been filed on or before August 19, 2013.<sup>1</sup>

Briefing schedules are set forth in Civil Local Rules 7 and 56 (E.D. Wis.). Parties are expected to comply with the procedures and dates specified in the rule without involvement of the court. Court records show that the plaintiff did not file any response to

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<sup>1</sup>Defendants City of Brookfield and Todd Higgins, who are represented by separate counsel, also filed a motion for summary judgment on July 18, 2013. These defendants did not file a certificate of service along with their motion. *See* Fed. R. Civ. P. 5(d)(1). Thus, it is not clear that copies of the motion and supporting materials were mailed to the plaintiff at Jackson Correctional Institution. The plaintiff also did not file a response to the motion.

defendants City of Waukesha, Hallmark, and Esser's motion. Therefore,

**IT IS ORDERED** that this action be dismissed with prejudice for lack of prosecution effective **September 23, 2013**, pursuant to Civil Local Rule 41(c) (E.D. Wis.) (copy enclosed) and Federal Rule of Civil Procedure 41(b), unless prior to that date the plaintiff responds to the defendants' motion or establishes just cause for his failure to respond to said motion as required.

Dated at Milwaukee, Wisconsin, this 27th day of August, 2013.

**SO ORDERED,**

  
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**HON. RUDOLPH T. RANDA**  
**U. S. District Judge**

**Civil Local Rule 41(c)**  
**Dismissal for Lack of Diligence**

Whenever it appears to the Court that the plaintiff is not diligently prosecuting the action, the Court may enter an order of dismissal with or without prejudice. Any affected party may petition for reinstatement of the action within 21 days.